UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,799	08/31/2001	JiNan Glasgow		1070

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EXAMINER
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ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _31 August 2001_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-15_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-15_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____ .
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _#5_.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

1.   This Office Action is response to Applicant's communications filed on

08/31/2001.

2.   Claims 1-15 are pending in this application.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   .Claims 1-5, and 11-15 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent No. 5,950,214 issued to Rivette et al. (hereinafter Rivette)

in view of Pub. No. US 2002/0116363 A1 of Grainger.

With respect to claim 1, Rivette teaches at least one input device connected to at

least one computer and at least one output device, wherein at least one user is capable

of inputting information via the at least one input device to the at least one computer

and viewing information on the at least one output device (see fig. 3, the computer

system including input keyboard for inputting information, the output display screen for

view information: col. 14, lines 23-38)

and wherein the at least one computer is capable of storing, modifying, outputting, and retrieving information in communication with the at least one input device and at least one output device (patent document is stored in database and library from which they are be able to update and to retrieve information: col. 11, lines 58-67 and col. 12, lines 1-18 and lines 46-65);

and software installed and capable of running on the at least one computer (software program running with the computer, see fig. 3: col. 25, lines 25-45),

including specification and claims, based upon the user inputted information and additional text-based detailed information that is organized consistent with the diagram; wherein the hierarchical component categorization includes at least one key component and at least one subcomponent related thereto (background, inventor, title, abstract, specification, claims, diagrams and images are key component and subcomponents in a patent document text (see fig. 4, fig. 8, fig. 10 and col. 14, lines 65-67, col. 15, lines 1-28 and col. 16, lines 15-64).

Revette teaches creating patent document/application and the stored patent applications being viewable via display screen windows and the documents are modifiable and retrievable. The portions of patent document is including abstract, background of invention, drawings, text blocks of images, specification and claims, inventor, assignee names as key component and subcomponent. Revette does not explicitly teach automatically generating a hierarchical component categorization based upon the user-inputted information and outputting a viewable diagram of that

categorization and for automatically generating a document for filing as a patent application.

However, Grainger teaches a patent application is automatically created (see page 10, left column, lines 10-17 and right column, lines 27-36).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Rivette with the teachings of Grainger so as to have the way to automatically generate a patent application specification from the invention discloses. This combination would have made the system for automatically generating a patent document, which is a structured document including some portions such as object, abstract, background, summary, drawings invention and claims, and the document is a viewable, modifiable from a display screen windows displaying a GUI from which the user may input patent's information via window display environment (Rivette – col. 4, lines 44-67).

With respect to claim 2, Rivette teaches wherein the diagram is modifiable by the at least one user and the diagram hierarchical component categorization and related text-based detailed information is automatically updated based upon the user modifications (col. 14, lines 65-67 and col. 15, lines 1-28).

With respect to claim 3, Rivette teaches wherein the at least one key component includes a multiplicity of components (Title and Inventor: see fig. 4).

With respect to claim 4, Rivette teaches wherein the at least one subcomponent further includes at least one sub-subcomponent (drawings and blocks of text in images: col. 14, lines 65-67 and col. 15, lines 1-12).

With respect to claim 5, Rivette teaches wherein the relational connection between components establishes the claims structure of the patent application (col. 4, lines 50-60 and col. 16, lines 35-46).

With respect to claim 11, Rivette teaches 17 at least one user entering information relating to components of a patentable invention (see fig. 3, computer system including keyboard, storages);

wherein the system includes at least one input device connected to at least one computer and at least one output device, wherein at least one user is capable of inputting information via the at least one input device to the at least one computer and viewing information on the at least one output device (see fig. 3, the computer system including input keyboard for inputting information, the output display screen for view information: col. 14, lines 23-38);

and wherein the at least one computer is capable of storing, modifying, outputting, and retrieving information in communication with the at least one input device and at least one output device (patent document is stored in database and library from which they are be able to update and to retrieve information: col. 11, lines 58-67 and col. 12, lines 1-18 and lines 46-65);

and software installed and capable of running on the at least one compute (software program running with the computer, see fig. 3: col. 25, lines 25-45),

a system automatically generating a visual diagram of the components of the invention in a hierarchical relational diagram, including specification and claims, based upon the user inputted information and additional text-based detailed information that is

organized consistent with the diagram; wherein the hierarchical component

categorization includes at least one key component and at least one subcomponent

related thereto; and the at least one user viewing the diagram and text-based

information in a tangible medium see fig. 4, fig. 8, fig. 10 and col. 14, lines 65-67, col.

15, lines 1-28 and col. 16, lines 15-64; also see fig. 3).

Revette teaches creating patent document/application and the stored patent

applications being viewable via display screen windows and the documents are

modifiable and retrievable. The portions of patent document is including abstract,

background of invention, drawings, text blocks of images, specification and claims,

inventor, assignee names as key component and subcomponent. Revette does not

explicitly teach automatically generating a hierarchical component categorization based

upon the user-inputted information and outputting a viewable diagram of that

categorization and for automatically generating a document for filing as a patent

application.

However, Grainger teaches a patent application is automatically created (see

page 10, left column, lines 10-17 and right column, lines 27-36).

Therefore, It would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Rivette with the teachings

of Grainger so as to have the way to automatically generate a patent application

specification from the invention discloses. This combination would have made the

system for automatically generating a patent document, which is a structured document

including some portions such as object, abstract, background, summary, drawings

invention and claims, and the document is a viewable, modifiable from a display screen windows displaying a GUI from which the user may input patent's information via window display environment (Rivette – col. 4, lines 44-67).

With respect to claim 12, Rivette teaches at least one user entering diagram verbage by drafting the text-based detailed description or verbage of the specification section of the application for each component of the diagram (col. 14, lines 65-67 and col. 15, lines 1-45).

With respect to claim 13, Rivette teaches at least one user inputting additional components selected from the group consisting of key components, subcomponents, and sub- subcomponents (see fig. 3, fig. 4, and fig. 8, col. 14, lines 65-67, col. 15, lines 1-28 and col. 16, lines 15-64).

With respect to claim 14, Rivette teaches modifying any previously inputted components within the diagram; and the system automatically updating the diagram and relational information to those modified components (col. 12, lines 5-15 and col. 30, lines 30-40).

With respect to claim 15, Rivette teaches a method as discussed in claim 11. Also Rivette teaches the patent application including specification and claims (col. 4, lines 50-660 and col. 16, lines 40-46).

Revette teaches creating patent document/application and the stored patent applications being viewable via display screen windows and the documents are modifiable and retrievable. The portions of patent document is including abstract, background of invention, drawings, text blocks of images, specification and claims,

inventor, assignee names as key component and subcomponent. Revette does not explicitly teach automatically generating a hierarchical component categorization based upon the user-inputted information and outputting a viewable diagram of that categorization and for automatically generating a document for filing as a patent application.

However, Grainger teaches a patent application is automatically created (see page 10, left column, lines 10-17 and right column, lines 27-36).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Rivette with the teachings of Grainger so as to have the way to automatically generate a patent application specification from the invention discloses. This combination would have made the system for automatically generating a patent document, which is a structured document including some portions such as object, abstract, background, summary, drawings invention and claims, and the document is a viewable, modifiable from a display screen windows displaying a GUI from which the user may input patent's information via window display environment (Rivette – col. 4, lines 44-67).

5.   Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

Patent No. 5,950,214 issued to Rivette et al. (hereinafter Rivette) in view of Pub. No. US

2002/0116363 A1 of Grainger, and further in view of Pub. No. 2002/0073165 of McNulty

et al. (hereinafter McNulty).

With respect to claim 6, Rivette in view of Grainger discloses a system as

discussed in claim 1.

Revette teaches creating patent document/application and the stored patent

applications being viewable via display screen windows and the documents are

modifiable and retrievable. The portions of patent document is including abstract,

background of invention, drawings, text blocks of images, specification and claims,

inventor, assignee names as key component and subcomponent. Revette does not

explicitly teach automatically generating a hierarchical component categorization based

upon the user-inputted information and outputting a viewable diagram of that

categorization and for automatically generating a document for filing as a patent

application. Grainger a patent application is automatically generated (see page 10, left

column, lines 10-17 and right column, lines 27-36). In combination, Rivette and Grainger

do not explicitly teach wherein the text-based information and the diagram components

are automatically linked.

However, McNulty teaches linked category and content (see Page 1, block of

0012 and Page 2, block of 0013).

Therefore, It would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Rivette in view of Grainger

with the teachings of McNulty so as to have the way to automatically link category and

content of an electronic document such as web page. This combination would have

made the system for automatically generating a patent document, which is a structured

document including some portions such as object, abstract, background, summary,

drawings invention and claims, and the document is a viewable, modifiable from a

display screen windows displaying a GUI from which the user may input patent's

information via window display environment (Rivette – col. 4, lines 44-67).

With respect to claims 7-10, Rivette in view of Grainger discloses a system as

discussed in claim 1.

Revette teaches creating patent document/application and the stored patent

applications being viewable via display screen windows and the documents are

modifiable and retrievable. The portions of patent document is including abstract,

background of invention, drawings, text blocks of images, specification and claims,

inventor, assignee names as key component and subcomponent. Revette does not

explicitly teach automatically generating a hierarchical component categorization based

upon the user-inputted information and outputting a viewable diagram of that

categorization and for automatically generating a document for filing as a patent

application. Grainger a patent application is automatically generated (see page 10, left

column, lines 10-17 and right column, lines 27-36). In combination, Rivette and Grainger

do not explicitly teach wherein the link(s) are hyperlinks, wherein the document and

diagram are capable of being output into another software program, wherein the

document and diagram are exportable in HTML format, and wherein the document and diagram are exportable in XML format.

However, McNulty teaches hyperlinks (see Page 8, block of 0083), software program (Page 2, left column, lines 8-29), HTML and XML format ((Page 3, block of 0027).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Rivette in view of Grainger with the teachings of McNulty so as to have the way to automatically link category and content of an electronic document such as web page. This combination would have made the system for automatically generating a patent document, which is a structured document including some portions such as object, abstract, background, summary, drawings invention and claims, and the document is a viewable, modifiable from a display screen windows displaying a GUI from which the user may input patent's information via window display environment (Rivette – col. 4, lines 44-67).

Contact Information

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is 703 306-4527 or via E-Mail: ANH.LY@USPTO.GOV. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on 703 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703 746-7239.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Office (703) 872-9306 (Central Official Fax Number)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-6606 or 703 305-3900.

JEAN M. CORRIELUS
PRIMARY EXAMINER

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MAR. 17th, 2004